

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

United States of America,)	
)	No.: 7:09-cr-00030-GRA-2
v.)	
)	ORDER
Wilford Antonio Drummond,)	(Written Opinion)
)	
Defendant.)	
_____)	

This matter is before this Court on Defendant's Motion to Vacate under 28 U.S.C. § 2255, filed on September 23, 2009, and Defendant's Motion for Transcripts and Discovery, filed on December 1, 2009. For the reasons discussed herein Defendant's motions are denied.

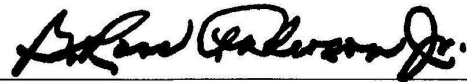
On August 13, 2008, a jury found Defendant guilty of conspiracy to distribute cocaine, possession with the intent to distribute cocaine, felon in possession of a firearm, and using a firearm in furtherance of a drug trafficking crime. On November 18, 2009, this Court sentenced Defendant to the statutorily required minimum of three hundred (300) months followed by ten (10) years of supervised release.

On November 18, 2009, Defendant filed a notice of appeal to the U.S. Court of Appeals for the Fourth Circuit, and Defendant's appeal is currently pending. As such, this Court no longer has jurisdiction over any facet of Petitioner's case. *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982) ("The filing of a notice of appeal is an event of jurisdictional significance--it confers jurisdiction on

the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal").

IT IS THEREFORE ORDERED that this Court lacks jurisdiction to rule on Defendant's Motion to Vacate under 28 U.S.C. § 2255, and Defendant's Motion for Transcripts and Discovery.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

January 26, 2010
Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

Pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure, Defendant has the right to appeal this Order within fourteen (14) days from the date of its entry. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, **will waive the right to appeal.**